## IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

International Application No. : PCT/EP2004/011941

International Filing Date : 22 October 2004 (22.10.2004)

Priority Date(s) Claimed : 18 November 2003 (18.11.2003)

Applicant(s) (DO/EO/US) : Sylke KLEIN, et al.

Title: FUNCTIONAL PASTE

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## Timing and Fees

$\boxtimes$	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:						
		within three months of the filing date of a national application other than a CPA under § 1.53(d);					
	$\boxtimes$	within three months of the actual filing date of the national phase of a PCT application; OR					
		before the mailing of a first substantive office action (including after filing of an RCE).					
	Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the specified in 37 C.F.R. § 1.97(b), but before the mailing date of:						
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and					

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		is acco	ompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:
		a final	action under 37 C.F.R. § 1.113;
		termin	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
		OR a r	notice of allowance under 37 C.F.R. § 1.311;
	AND i	is filed o	on or before payment of the issue fee; AND is accompanied by:
			tement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of 00 under 37 C.F.R. § 1.17(p).
Staten	nents U	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited	Materia	<u>ıls</u>	
		ancest	s of materials listed but not attached were cited in benefit (35 U.S.C. § 120) for application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
		-	s of materials listed but not attached were cited in an international search dated <u>January 25, 2005</u> .
		Not re	equired by 37 CFR § 1.98.
		Copie	s of the materials listed are attached (except for the foregoing).

Non-English	Language References						
$\boxtimes$	An English-language search report or equivalent paper from a foreign pater office is provided indicating the relevance of the cited reference(s).						
	A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:						
	<ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> <li>A = document defining the general state of the art</li> <li>O = non-written disclosure</li> <li>P = intercalated document</li> <li>T = document cited to understand the theory or principle underlying the invention</li> <li>E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date</li> <li>D = cited in the application</li> <li>L = cited for another reason</li> </ul>						
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Other Inform	ation						
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## 10/579857. IAPS RECUPET/PTO 17 MAY 2006

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Anthony J. Zelano, Reg. No. 27,969

Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-3161

Date: May 17, 2006

AJZ:ssr

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Substitute	for form 1449A/PT	то		Complete if Known		
				Application Number	USNP of PCT/EP2004/011941	
	RMATION			Filing Date	22 October 2004 (22.10.2004)	
STAT	EMENT B	SY APP	LICANT	First Named Inventor	Sylke KLEIN, et al.	
				Group Art Unit	unknown	
	(use as many sh	eets as nec	essary)	Examiner Name	unknown	
Sheet	1	of	1	Attorney Docket Number	MERCK-3161	

	U.S. PATENT DOCUMENTS							
Examiner Initials * Cite No.¹		U.S. Patent Document  Kind Code <sup>2</sup> Number ( <i>if known</i> )		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document  MM-DD-YYYY			
	001	6,379,745	B1	KYDD, et al.	04-30-2002			
	002	6,695,903	B1	KUBELBECK, et al.	02-24-2004			
	·							

·	FOREIGN PATENT DOCUMENTS							
	Cite No.1	Foreign Patent Document				Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*		Office <sup>3</sup>	Number⁴	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sub>6</sub>
	003	W	03/003381	Α	JABLONSKI, ET AL.	01-09-2003		
	004	DD	153 360	A	SOBOLEV, ET AL.	01-06-1982		
	005	wo	00/54341	Α	MERCK, ET AL.	09-14-2000		

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.